

REMARKS

Claims 42 and 45-48 are pending in the present application. Claim 42 is herein amended. Claims 43 and 44 are cancelled. No new matter has been presented.

Claim Rejections – 35 U.S.C. §§ 102 and 103

Claims 42-48 were rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over **Madden** (US 6,249,076).

Favorable reconsideration is requested.

Applicants respectfully submit that Madden does not teach or suggest “wherein said conductive polymer exhibits deformability by electrochemical redox, and electrochemical strain per redox of said conductive polymer is not less than 3%” as recited in amended claim 42.

The Office Action cited Yamura for teaching a conductive polymer as recited in the claims. (Office Action, page 4.) Yamura discloses “elongation” of a conductive polymer in a solvent. However, Yamura does not disclose deformability of a conductive polymer when voltage is applied thereto as recited in the present claims. The description below establishes that the conductive polymer of Yamura does not satisfy the deformability as recited in claim 42.

The process for polymerization (preparation) of a conductive polymer in Yamaura involves polymerization thereof in water as in Comparative Example 1 in the present specification. As shown in the Comparative Examples of the present specification, when electrolytic polymerization of a conductive polymer is carried out in water in the conductive polymer (upon application of voltage) it exhibits a very small electrochemical strain (0.4 to 1.7%). (See specification, pages 42-43; Tables 5 and 6.) Thus, the conductive polymer obtained

by the process disclosed in Yamaura does not exhibit an electrochemical strain as recited in claim 42. Furthermore Madden does not describe polymerization conditions (such as a polymerization solvent). Therefore, neither Madden nor Yamura teaches or suggests “wherein said conductive polymer exhibits deformability by electrochemical redox, and electrochemical strain per redox of said conductive polymer is not less than 3%” as recited in amended claim 42.

In the Examples of the present specification, a conductive polymer is not carried out in water, and the conductive polymer (upon application of voltage) exhibits an electrochemical strain of not less than 3%. (See specification, pages 37-46.)

For at least the foregoing reasons, claims 42 and 45-48 are patentable over the cited references. Accordingly, withdrawal of the rejection of claims 42 and 45-48 is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney to arrange for an interview to expedite the disposition of this case.

Amendment under 37 C.F.R. §1.116
Attorney Docket No. 091678
Application No. 10/523,985

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/Andrew G. Melick/

Andrew G. Melick
Attorney for Applicants
Registration No. 56,868
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

AGM/adp